

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TIMELINE, INC.,

Plaintiff,

v.

PROCLARITY CORPORATION,

Defendant.

No. C05-1013JLR

ORDER ON PLAINTIFF'S MOTION
FOR LEAVE TO FILE SECOND
AMENDED COMPLAINT

This matter comes before the court on Plaintiff's motion for leave to file a second amended complaint. (Dkt. # 184). Plaintiff's proposed amended complaint would add Microsoft Corporation as a party and would add breach of contract and patent infringement claims against Microsoft. Defendant ProClarity, a Microsoft subsidiary, states that it "does not oppose the motion to amend, but reserves its rights to move for a dismissal, severance, or other appropriate relief regarding the amended claims." (Dkt. # 191).

Having reviewed the materials submitted by the parties, the court GRANTS Plaintiff's unopposed motion for leave to file the second amended complaint attached as Exhibit A to its motion.

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1 By separate order, the court will issue a revised case schedule for this matter, taking into account the
2 parties' recently submitted Joint Report to the Court Regarding Amendment of Case Schedule. (Dkt.
3 # 195). In light of Plaintiff's unchallenged representations that Microsoft has worked closely with
4 ProClarity over the course of this litigation in connection with claim construction matters, the parties
5 are advised that the court is not inclined to permit submission of a revised joint claim chart.

6 Dated: September 28, 2006

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8 s/James L. Robart
9 JAMES L. ROBART
United States District Judge